

REMARKS

Claims 1 and 4-11 are pending in the application. In the Office Action of January 6, 2006, the Examiner made the following disposition:

- A.) Rejected claims 1 and 5-11 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Kamauchi et al.*
- B.) Rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* in view of *Kamauchi et al.* and further in view of *Wedlake*.

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

- A.) Rejection of claims 1 and 5-11 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Kamauchi et al.*:

Applicants respectfully disagree with the rejection.

Referring to Applicants' Figure 1 as an illustrative example, claim 1, as amended, claims a battery element 1 that has a first end at which first wound edges are located and a second end, which is opposite the first end, at which second wound edges are located. A first gas absorbable member 5 is positioned at the first end of the battery element adjacent the first wound edges of the battery element. A second gas absorbable 6 member is positioned at the second end of the battery element adjacent the second wound edges of the battery element.

The battery element is contained in an outer covering member composed of a laminated film and sealed therein by heat seal. The battery element has a positive electrode and a negative electrode each having a gel electrolyte at a portion thereof. The portions of the positive and negative electrodes are laminated to each other and pressed and wound such that the battery element is a winding type gel electrolyte battery element. The gel electrolyte comprises a plasticizer containing a lithium salt and a matrix high polymer in an amount of 2 wt% to 30 wt%. The matrix high polymer comprises a fluorine based high polymer selected from the group of polyvinylidene fluoride and vinylidene fluoride-hexafluoropropylene copolymer.

This is clearly unlike *Chaloner-Gill* in view of *Bullock*, which fails to disclose or suggest Applicants' claimed gel electrolyte. *Chaloner-Gill* fails to disclose or suggest a gel electrolyte that comprises a plasticizer containing a lithium salt or a matrix high polymer, let alone in an amount of 2 wt% to 30 wt%. In fact, *Chaloner-Gill* fails to describe lithium salts or matrix high polymers. *Bullock*

Bullock also fails to disclose or suggest a gel electrolyte that comprises a plasticizer containing a lithium salt or a matrix high polymer, let alone in an amount of 2 wt% to 30 wt%.

Bullock also fails to describe lithium salts or matrix high polymers.

Kamauchi also fails to disclose or suggest Applicants' claimed gel electrolyte. *Kamauchi* teaches a gel electrolyte that contains a lithium salt. However, nowhere does *Kamauchi* disclose or suggest a gel electrolyte that comprises a plasticizer containing a lithium salt or a matrix high polymer in an amount of 2 wt% to 30 wt%. Further, *Kamauchi* fails to disclose or suggest a matrix high polymer comprises a fluorine based high polymer selected from the group of polyvinylidene fluoride and vinylidene fluoride-hexafluoropropylene copolymer.

Therefore, *Chaloner-Gill* in view of *Bullock* and further in view of *Kamauchi* still fails to disclose or suggest claim 1.

Claims 5-11 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* in view of *Kamauchi et al.* and further in view of *Wedlake*:

Applicants respectfully disagree with the rejection.

Applicants' independent claim 1 is allowable over *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Kamauchi* as discussed above. *Wedlake* still fails to disclose or suggest Applicants' claimed gel electrolyte. Therefore, *Chaloner-Gill* in view of *Bullock et al.* and *Kamauchi* and further in view of *Wedlake* still fails to disclose or suggest claim 1.

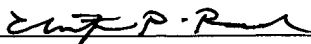
Claim 4 depends directly or indirectly from claim 1 and is therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1 and 4-11 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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